

IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF ALABAMA  
SOUTHERN DIVISION

GREG DAVIS, as next friend and natural )  
guardian of J.D., )

Plaintiff, )

v. )

CASE NO. 1:06-cv-953-MEF

HOUSTON COUNTY, ALABAMA BOARD )  
OF EDUCATION, )

Defendant. )

**ORDER**

It has come to the Court's attention that plaintiff's counsel has failed to comply with the dictates of Section 3 of the Uniform Scheduling Order entered by this Court on December 8, 2006 (Doc. #7). Section 3 requires counsel for the plaintiff to file a pleading titled "Notice Concerning Settlement Conference and Mediation" indicating whether settlement was reached at the face-to-face settlement conference, and if not, whether the parties believe mediation will assist them in resolving this case short of trial. Counsel for plaintiff is required to submit the Notice Concerning Settlement Conference and Mediation within five days of the face-to-face settlement conference. Pursuant to the Uniform Scheduling Order the parties were to have conducted that face-to-face settlement conference no later than December 7, 2007. Hence, the Notice Concerning Settlement Conference and Mediation should have been filed no later than December 14, 2007. As of this date, no Notice Concerning Settlement Conference and Mediation has been filed.

It is hereby ORDERED that:

- a. Plaintiff's counsel file the Notice Concerning Settlement Conference and Mediation by **February 1, 2008**.
- b. Plaintiff's counsel must show cause by **February 1, 2008**, why the Court should not sanction him pursuant to Federal Rule of Civil Procedure 16(f) for failure to comply with the Uniform Scheduling Order in this case.

DONE this the 25th day of January, 2008.

/s/ Mark E. Fuller  
CHIEF UNITED STATES DISTRICT JUDGE